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**Commission on Ethics &
Public Trust
Miami-Dade County**

Memorandum

To: Michael Murawski, Advocate
Miriam Ramos, Deputy General Counsel
Date: March 14, 2012

From: Breno Penichet, Investigator

Re: Pittman Law Group, P.L. Conflict Waiver (K12-035 / K12-036)

Background:

On February 22, 2012, Mr. Sean Pittman (Pittman) a member of the Pittman Law Group, P.L. (PLGPL) sent two letters to Assistant County Attorney Jess McCarty (McCarty) requesting conflict waivers. In the first letter, he informed of a potential conflict due to the fact that PLGPL has represented both HCA Healthcare and Miami Dade County.

In the second letter, Pittman advised that another potential conflict possibly existed as to PLGPL's representation of AT&T as it involves HB 809 and SB 1060 (the Communication Services Tax). According to Pittman, although the issue concerning the Communication Services Tax issue was not assigned to PLGPL, Pittman nevertheless requested a waiver to allow PLGPL to continue its relationship with AT&T.

Investigation:

COE investigator reviewed all the documents submitted and obtained copies of the legislation in question.

McCarty was contacted. He advised that he did not believe PLGPL was involved in the two main issues related to AT&T and HCA. HCA supported passage of HB 511/SB 668. Miami-Dade County opposed the passing of this legislation. Regarding the Communication Services Tax (HB 809/SB 1060), McCarty stated that the communications services tax did not have much opposition from the League of Cities and Miami-Dade County, until the latter part of the session when it became clear that its passage could result in significant revenue loss to the municipalities and unincorporated areas of Miami-Dade County. ACA McCarty advised that the Communications Services Tax bill issue was enacted but no action was taken by the legislature on HB 511.

COE investigator contacted Pittman. Regarding the HCA matter, Pittman advised that his firm was not retained to do any lobbying for HCA. PLGPL represents HCA on sale/lease issues. However, Pittman is aware that HCA takes a position regarding HB511/SB 668 that is in opposition to the County's position.

With regard to AT&T, Pittman advised that PLGPL has a long standing representation relationship with AT&T but they were not performing any lobbying on AT&T's behalf regarding the Communications Services Tax, nor did PLGPL work on this matter for the County. According to Pittman, that project is being handled by another firm on his team.

Conclusion:

After reviewing all the available information and conferring with ACA McCarty, the COE investigation did not uncover any substantial reason to deny PLGPL a conflict waiver in these matters.

Attachments:

- A. Letters from Pittman Law Group, P. L.
- B. E-mail from ACA McCarty
- C. House and Senate Bills
- D. Letter to the Pittman group
- E. MDC Lobbyist list